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Attorneys for Defendants KBR, Inc.; Kellogg
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Services, Inc.; Overseas Administration
Services, Ltd.; and Service Employees
International, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

ROCKY BIXBY; LAWRENCE ROBERTA;
SCOTT ASHBY; CHARLES ELLIS;
MATTHEW HADLEY; CARLOS
AVALOS; JESUS BRUNO; COLT
CAMPREDON; STEPHEN FOSTER;
BYRON GREER; KELLY HAFFER;
DENNIS JEWELL; STEPHEN MUELLER;
VITO PACHECO; JOHN RYDQUIST;
AND KEVIN STANGER

Plaintiffs,

v.

KBR, INC.; KELLOGG, BROWN & ROOT
SERVICE, INC.; KBR TECHNICAL
SERVICES, INC.; OVERSEAS
ADMINISTRATION SERVICES, LTD; and
SERVICE EMPLOYEES
INTERNATIONAL, INC.,

Defendants.

Civil No.: 09-632-PK

DEFENDANTS' MOTION TO DISMISS
FOR LACK OF PERSONAL
JURISDICTION AND VENUE
Pursuant to Fed. R. Civ. P. 12(b)(2) and
Fed. R. Civ. P. 12(b)(3)

REQUEST FOR ORAL ARGUMENT

I. COMPLIANCE WITH LR 7.1

Pursuant to District of Oregon Local Rule 7.1, counsel for defendants KBR, Inc.; Kellogg Brown & Root Services, Inc.; KBR Technical Services, Inc.; Overseas Administration Services, Ltd.; and Service Employees International, Inc. (collectively, the “KBR defendants”) certifies that a good faith effort to confer with plaintiffs’ counsel concerning the issues raised in this motion was made prior to filing this motion, but the parties were unable to resolve those issues.

II. MOTION

Pursuant to Fed. R. Civ. P. 12(b)(2) and 12(b)(3), the KBR defendants move for an Order dismissing them from this action with prejudice for lack of personal jurisdiction and venue.

Pursuant to District of Oregon Local Rule 7.1(f)(2), the KBR defendants respectfully request oral argument of this motion.

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This motion is supported by the Court's file and record herein, the Declaration of Mark E. Lowes, the written submissions in support of the motion, and the oral argument presented at any hearing of the motion.

DATED: September 11, 2009

BULLIVANT HOUSER BAILEY PC

By /s/ Jeffrey S. Eden

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